

Notice of Allowability	Application No.	Applicant(s)
	10/044,209	SOUTHWOOD, MARK E.
	Examiner Vincent P. Barth	Art Unit 2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Amendment dated 8 Mar. 2004.
2. The allowed claim(s) is/are 1-24.
3. The drawings filed on 11 Jan. 2002 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 0304.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Preliminary Comments

1. Applicant's Amendments dated 8 March 2004 have placed the Application in a condition for allowance as written. Accordingly, the following represents a reasoned statement for allowability.

Allowable Subject Matter

2. Claims 1-24 are allowable, since the prior art references, either considered alone or in combination, do not disclose or render obvious the limitations set forth therein.
3. Referring to Claim 1, the prior art references, either considered alone or in combination, do not disclose or render obvious the limitations whereby a system for non-contact dimensional measurement of an essentially circularly symmetrical workpiece comprises a sensor arm movable in lateral, longitudinal and transverse directions, a sensor head coupled to the sensor arm, the sensor head including a light source, wherein the sensor arm and head perform proximity measurements along three parallel lateral tracks extending along a longitudinal length, and wherein a wireframe module determines a curve fit of the workpiece based on the proximity measurements, in combination with the remaining limitations in the claim. Claims 2-9 are allowable based on their dependency upon the claim from which each is dependent. Referring to Claim 10, the prior art references, either considered alone or in combination, do not disclose or render obvious the limitations whereby a method for non-contact dimensional measurement of an essentially circularly symmetrical workpiece comprising locating three parallel lateral tracks on a

surface of the essentially circularly symmetrical workpiece, directing light from a single light source to the three lateral tracks to determine proximity measurements, determining a curve fit of the workpiece based on the proximity measurements, in combination with the remaining limitations in the claim. Claims 11-17 are allowable based on their dependency upon the claim from which each is dependent. Referring to Claim 18, the prior art references, either considered alone or in combination, do not disclose or render obvious the limitations whereby a computer readable medium for performing a method for determining diameters of an essentially circularly symmetrical workpiece to generate a workpiece profile, the method comprising locating three parallel lateral tracks on a surface of the essentially circularly symmetrical workpiece, directing light from a single light source to the three lateral tracks to determine proximity measurements, determining a curve fit of the workpiece based on the proximity measurements, in combination with the remaining limitations in the claim. Claims 19-23 are allowable based on their dependency upon the claim from which each is dependent. Referring to Claim 24, the prior art references, either considered alone or in combination, do not disclose or render obvious the limitations whereby a system for non-contact dimensional measurement of an essentially circularly symmetrical workpiece comprises a sensor means movable in lateral, longitudinal and transverse directions, a sensor means including a light source, wherein the sensor means performs proximity measurements along three parallel lateral tracks extending along a longitudinal length, and wherein a wireframe module determines a curve fit of the workpiece based on the proximity measurements, in combination with the remaining limitations in the claim.

Comments

4. Applicant's Remarks in the Amendment dated 8 March 2004 have correctly noted that the Castore reference does not teach the limitations in which the subject workpiece is essentially symmetrical, and in which the dimensions of the workpiece may be measured by determining a curve fit, as in the instant independent claims. Moreover, it would not be obvious to modify the Castore reference or combine it with another reference to arrive at the instant invention as claimed. Accordingly, the rejections under §103 in the previous Office Action are withdrawn.

CONCLUSION

5. Applicants' Claims 1-24 are allowed based on the reasons set forth above.

6. Any inquiries concerning this communication from the Examiner should be directed to Vincent P. Barth, whose telephone number is 571-272-2410, and who may be ordinarily reached from 9:00 a.m. to 5:30 p.m., Monday through Friday. The official fax number for communications to the group is 703-872-9306.

7. If attempts to reach the Examiner prove unsuccessful, the Examiner's supervisor is Frank G. Font, who may be reached at 571-272-2415.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

Richard A. Rosenberger
Primary Examiner